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SUBJECT: VIENNA COURT SEES NO TERRORISM PLOT AGAINST US EMBASSY

11. (U) Summary: A Vienna court on April 8 cleared a 42-year-old Bosnian defendant of charges of plotting a bomb attack against the U.S. Embassy in Vienna in October 2007. The court sentenced him to 15 months in jail for illegal possession of explosives, document forgery, and slander. Explaining her verdict, the judge pointed to the numerous contacts the man had made with embassy security personnel prior to the incident and argued that the defendant's behavior was "not typical" of someone plotting a bomb attack. The verdict may be appealed by the defense. End summary.

12. (U) Dismissing charges by the state prosecutor and police investigators, a Vienna court on April 8 acquitted Bosnian national Asim Cejvanovic of the main charge of plotting a bomb attack inside the premises of the U.S. Embassy in Vienna October 1, 2007. At the same time, the court found the defendant guilty of illegal importation and possession of "war materials"; forging documents (making a fake passport); and slandering a second suspect who turned out to be innocent. The court sentenced the defendant to a 15-month prison term for the three offenses. Cejvanovic so far has served 6 months in pre-trial detention.

13. (U) Cejvanovic was arrested October 1 after embassy guards found his backpack filled with grenades, plastic explosives and metal pieces. He briefly fled the premises, but was caught shortly after dropping the backpack in the street. It did not explode and no one was injured. Authorities later said the device was not rigged to go off and that Cejvanovic had received psychiatric care in the past.

14. (U) Cejvanovic, a Bosnian national, came to Austria in 1993, but returned to Bosnia a year later to participate in the civil war and was subsequently wounded. After being air lifted by the Red Cross to Austria in 1995, he was diagnosed with post-traumatic stress syndrome. His defense lawyer said the accused had evidently tried to "provide" the war material he had imported from the Balkans to the U.S. Embassy. On the first day of the trial in February 2008, the defendant said he had important information about Wahabi extremists from informants in Bosnia that was important for the U.S., suggesting he had wanted to "offer" this information to the U.S.

15. (U) The judge averred that there was insufficient evidence to prove Cejvanovic was planning a bomb attack on the embassy. She noted that the defendant had made repeated email and telephone contact with embassy security officials prior to the incident, and had also given detailed personal information about himself and his wife to embassy officials. This, the judge reasoned, was "not a typical strategy for somebody who tries to enter the U.S. embassy to detonate a bomb."

Kilner